

Amendment No. 1 to HB3043

Jones U
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3451

House Bill No. 3043*

By deleting the third and fourth paragraphs of the Preamble in their entirety and substituting the following:

WHEREAS, most provisions of the Adult-Oriented Establishment Registration Act of 1998 have been upheld by state and federal courts as constitutionally permissible regulations of adult-oriented establishments, operators, employees, entertainers, and escorts that are reasonable attempts to address these deleterious secondary effects, (including specifically in judicial findings in *American Show Bar Series, Inc. v. Sullivan County*, 30 S.W.3d 324 (Tenn. App. 2000), *perm. app. denied*; *Odle, d/b/a Sports Club, Inc. v. Decatur County*, No. 02-1278 (W. D. Tenn., Oct. 14, 2003)(United States District Court Chief Judge Todd), *aff'm in pertinent part*, 421 F.3d 386 (6th Cir. 2005); and (companion cases) *Paul Friedman, et al v. Giles County Adult-Oriented Establishment Board*, et al, No. 1-00-0065 (M. D. Tenn., September 29, 2005)(United States District Judge Higgins) and *Angela Kaye Belew, et al v. Giles County Adult-Oriented Establishment Board*, et al, No. 1-01-0139 (M. D. Tenn., September 29, 2005) (United States District Judge Higgins)(limited injunctive relief ordered)); and

WHEREAS, it is the intent of the general assembly to address some concerns related to the above referenced federal court litigation in the Middle District of Tennessee regarding the validity, scope, meaning, and effect of certain sections, clauses, or provisions of the Adult-Oriented Establishment Registration Act of 1998;

FURTHER AMEND Section 14 by deleting the current Tennessee Code Annotated citation to "Section 7-51-1114(d)" and replacing it with "Section 7-51-1113(d)".

FURTHER AMEND by deleting SECTION 2 of the printed bill in its entirety and renumbering accordingly.